IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

LINCOLN GENERAL INSURANCE)	
COMPANY,)	
Plaintiff,)	
v.)	Case No. 3:08-0368
)	Judge Trauger
DETROIT DIESEL CORPORATION and)	
PREVOST CAR (US), INC.,)	
)	
Defendants.)	
)	

ORDER

For the reasons expressed in the accompanying Memorandum, the Motion to Dismiss for Failure to State a Claim filed by defendant Prevost Car (US), Inc. ("Prevost") (Docket No. 20) is **GRANTED IN PART AND DENIED AS MOOT IN PART,** and Prevost is hereby **DISMISSED** as a defendant in this matter.

It is so ordered.

Enter this 14th day of September 2009.

ALETA A. TRAUGER United States District Judge